

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

PETER ALLEN, *et al.*

Plaintiffs,

-VS.-

CARL KOENIGSMANN, *et al.*

Defendants.

ORDER TO PRODUCE

19-cv-8173 (LAP)

ECF

**TO: Superintendent, Shawangunk Correctional Facility
200 Quick Road
Wallkill, New York 12589**

WHEREAS Felipe Rivera-Cruz DIN # 13A0542 is a Plaintiff in the above-captioned matter;

WHEREAS Plaintiff is currently in custody at Shawangunk Correctional Facility in Wallkill, New York; and

WHEREAS Mr. Rivera-Cruz's testimony is needed for an evidentiary hearing in the above-captioned matter; and

WHEREAS Shawangunk Correctional Facility has already been ordered to reserve the video conferencing equipment for February 8, 2023; and

NOW THEREFORE, IT IS ORDERED that the SUPERINTENDENT OF SHAWANGUNK CORRECTIONAL FACILITY produce Felipe Rivera-Cruz on February 8, 2023 at 10:30am until his testimony is complete and/or the day's proceedings have ended to the location of the video conferencing equipment in Shawangunk; and

IT IS FURTHER ORDERED that Plaintiff must be allowed to participate in the video proceeding in a privileged and confidential manner; DOCCS personnel must allow him to bring any legal papers Mr. Rivera-Cruz has been sent by his counsel and he shall be allowed to testify without the presence of any third parties in the room, unless bona fide safety and security issues necessitate the presence of a member of DOCCS' personnel.

Dated: January 24, 2023

So ordered: 
LORETTA A. PRESKA, U.S.D.J.